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State of South Carolina,

HEAD QUARTERS,

JANUARY 8, 1862.

To the Honorable the President and Members of the Convention:

From your official notice just received, and the Ordinance enclosed me, I perceive that the Executive power has been, to a great extent, remodelled. I shall endeavor faithfully to do my humble part in attempting to execute this Ordinance as far as I can, but it is due to the Legislature, who have entrusted to my care the Executive power as established under the Constitution, to say that I seriously think the Ordinance that you have now passed, will, in its practical operation, greatly weaken the Executive as created by the Constitution. I understand from the Ordinance that no appointment, even of the humblest kind, is to be made, except by a deliberate vote of the new Council to be created. The eighth section requires that the record of all the proceedings of the Governor and Council shall be laid before the Convention. I do not know if I am to understand that all the proceedings of the Governor are to be laid before the Convention. I do not know if all orders to be issued, relating to the military, are first to be submitted to a vote of the Council. If so, there will be great imbecility in acting as Commander-in-Chief.

As it is an Ordinance passed deliberately by the highest and most unlimited power, I shall feel it my duty cheerfully to try and execute it to the letter.

We are an educated and informed people, and the real strength of an Executive consists in doing what is right and just, faithfully for the public interest. Any unusual or arbitrary power will create suspicion and jealousy, unless it be obviously necessary under circumstances where the usual authorities cannot act. We are under an almost absolute military government, and, by the acts of your Convention, the State has been transferred under the jurisdiction of the Confederate Government, and Confederate Generals have, practically, all power over the resources and defences of the State. There is but little left for any unusual exercise of Executive power in the State.

I beg leave, most respectfully, to make this communication as due to my office and to those who appointed me to the exercise of the powers confided to me under the Constitution of the State.

The threatening aspect of public affairs, with a large force invading our State, demands the utmost forbearance possible, and precludes me from the course that would be more agreeable to myself and more just to the power from which I received my appointment. This course would be more imperative from the consideration that the same Ordinance provides for the perpetuation of this power by enabling any twenty men, from any motives whatever, to call the Convention together.

I do not desire to be the means of creating the least division in the public mind under existing circumstances. I therefore make this communication to your body in secret session. I have never, for one moment, had any motive in any public act while in office, except to sustain the honor, rights and independence of my State. When all the circumstances are known, as they will be in history, neither time nor scrutiny can change the verdict of posterity.

F. W. PICKENS.

The Convention, at its late meeting, having made its proceedings public, and referred the continuance of the Executive Council, and expressly made it responsible to the Legislature, it is thought proper to send this to each member.

October 25, 1862

Handwritten notes in the top right corner, including "P. 300", "80", and "#40".

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